

Painesville

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FENOC

FirstEnergy Nuclear Operating Company

US EPA RECORDS CENTER REGION 5



464031

Perry Nuclear Power Plant
10 Center Road
Perry, Ohio 44081

William R. Kanda
Vice President - Nuclear

440-280-5579
Fax: 440-280-8029

January 30, 2003
PY-CEI/USEPA-0008L

Thomas C. Nash
U. S. EPA
77 West Jackson Blvd.
Chicago, IL 60604

Mr. Nash,

Enclosed is the signed CERCLA §122(g)(4), "De Minimis Contributor Administrative Order on Consent." The EPA has insisted on naming the Perry Nuclear Power Plant, which started operations in November 1987, and FirstEnergy Corp., as a potential responsible party at the Chemical Recovery Systems Site in Elyria, Ohio (CRS) in spite of the fact that the Perry Nuclear Power Plant is not located in Painesville, Ohio and is not related or associated with the solvents transported in 1980 to the CRS. FirstEnergy Corp.'s acceptance of the settlement is not an admission of liability or an admission that the Perry Nuclear Power Plant contributed hazardous substances or waste to the CRS site. Rather, FirstEnergy recognizes that acceptance of the De Minimis Contributor Administrative Order on Consent is a better alternative to protracted and costly efforts to overturn your administrative findings. By accepting the settlement, FirstEnergy understands that it and the Perry Nuclear Power Plant are forever and permanently absolved of additional costs or claims associated with the cleanup of the Chemical Recovery Systems Site in Elyria, Ohio.

If you have questions or require additional information, please contact Mr. Leo Harte at (440) 280-5514.

Sincerely,

Attachment

cc: NRC Region III
NRC Resident Inspector
NRC Project Manager
NRC Document Control Desk (Docket No. 50-440)

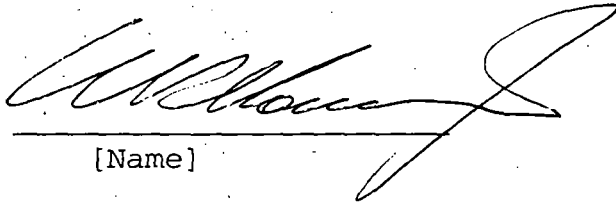
THE UNDERSIGNED RESPONDENT enters into this Consent Order in the matter of **Docket Number:** _____, relating to the **Chemical Recovery Systems Site in Elyria, Ohio.**

FOR RESPONDENT: FIRSTENERGY
[Name]

PERRY NUCLEAR
10 CENTER ROAD
PERRY, OH 44081

[Address]

By:


[Name]

1/30/03

[Date]